

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

CARLOS JUAN ROSA HERNANDEZ

DEBTOR

CASE NO 13-02572 MCF

CHAPTER 13

**DEBTOR'S REPLY TO TRUSTEE'S MOTION TO DISMISS
DOCKET NO. 22**

TO THE HONORABLE COURT:

COMES NOW, CARLOS JUAN ROSA HERNANDEZ, debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1. The Chapter 13 Trustee filed a *Trustee's Motion to Dismiss*, dated July 15, 2015, docket no. 22, whereby the Trustee states that the debtor has incurred in confirmed Plan payments arrears in the sum of \$20,300.00.

2. The debtor hereby replies to the Trustee's motion stating that the debtor's confirmed Plan provides for a "lump sum" payment of \$20,000 from the liquidation of debtor's inheritance interest, which monies have yet to be received by the debtor.

3. In order to cure the aforementioned Plan arrears, failure to make the "lump sum" payment, the debtor is filing a request to modify the debtor's confirmed Plan to propose additional time within to receive said liquidation of inheritance interest and pay the Trustee the aforementioned amount of \$20,000, at month thirty-six (36) of the proposed modified Plan. The debtor has filed a *Post-Confirmation Modification of Chapter 13 Plan 11 USC 1329*, dated August 8, 2015, which Plan proposes additional time to pay said "lump sum", thus, curing the confirmed Plan arrears as stated by the Trustee in his motion for dismissal.

4. Regarding the \$305.00 scheduled Plan payments, the same are up-to-date and current with the Chapter 13 Trustee.

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WHEREFORE debtor respectfully prays that Trustee's motion requesting dismissal for failure to make current Plan payments, docket no. 22, be denied.

I HEREBY CERTIFY that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non-participant: debtor, Carlos Juan Rosa Hernandez, PO Box 596 Comerio PR 00782, in the above captioned case.

RESPECFULLY SUBMITTED. In San Juan, Puerto Rico, this 10th day of August, 2015.

/s/ Roberto Figueroa Carrasquillo

USDC #203614

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